

REMARKS

The Examiner has rejected claims 1–25 and 28–35. Applicant is canceling claims 1–15, 19–25, and 28–35 without prejudice or disclaimer. Claims 26–27 were previously canceled. As a result, claims 16–18 are pending for examination with claim 16 being an independent claim. No claims have been amended.

Applicant believes the foregoing amendments comply with requirements of form and thus may be admitted under 37 C.F.R. §1.116(a). Alternatively, if these amendments are deemed to touch the merits, admission is requested under 37 C.F.R. §1.116(b). In this connection, these amendments were not earlier presented because they are in response to the matters made clear for the first time in the Final Office Action and subsequent telephonic interview, the substance of which is provided herein below.

The Examiner has rejected claims 1–15, 19–25, and 28–35 under 35 U.S.C. §103(a) as being unpatentable over Bonnell et al. (US Patent Number 5,655,081) (“Bonnell”) in view of Gajda et al. (US Patent Number 6,502,088) (“Gajda”). Applicant is canceling claims 1–15, 19–25, and 28–35 without prejudice or disclaimer.

Amendment After Final
Application Number: 09/840,588
Attorney Docket Number: 155507.01

AMENDMENT AFTER FINAL

The Examiner has rejected claims 16–18 under 35 U.S.C. §103(a) as being unpatentable over Reed et al. (US Patent Number 5,862,325) (“Reed”) in view of Gajda. Applicant respectfully traverses the Examiner’s rejection and points out, as discussed in the telephonic interview summarized below, that the prior art does not disclose specific features of claim 16.

Claim 16 calls for:

“...a base class of type management element...” (underlining added for emphasis)

and

“...a second derived class of the base class being the at least one on event class...”
(underlining added for emphasis)

Applicant submits that the invention as claimed in claim 16 is neither taught, described, nor suggested in Reed, even in view of Gajda.

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The present specification provides:

“The schema includes an abstract base class referred to in Figure 5 as a management element 250. Each management element 250 has a single access point 252 which defines an entry point for accessing data related to each management element. All instantiated management elements that are monitored derive from the abstract base class 250, are instantiated within the repository of a server node and are exposed or become accessible by means of the access point 252.” (pg. 8, lines 18–23, also see FIG. 5; underlining added for emphasis)

“...the aggregator can find out what WebElement is associated with the Access point through an instance of the OnEvent Class 270.” (pg. 11, lines 5–7, also see FIG. 5; underlining added for emphasis)

“...the aggregator 224 accesses an instance of the onEvent class of type TasktoUserContainer (line 70, listing 2) which returns an instance of a WebElement of type UserContainer (line 62, Listing 2) as the EventResultObject.” (pg. 16, line 31–pg. 17, line 2, also see FIG. 5; underlining added for emphasis)

The above citations, among others, describe the base class of type “management element” and the “on event” class. FIG. 5 of the drawings of the present specification further provides a description of “management element” 250 and of “on event” class 270, as well as other related features.

Reed, on the other hand, as pointed out by the Examiner, “shows the use of standard object classes which incorporate hierarchy, maintaining aggregation

associations, inheritances, and the like.” (FOA, pg 5, lines 11–12) See Reed, col. 17, lines 5–21, col. 17, lines 22–53, and col.18, line 26–col. 20, line 28. In particular, Reed provides:

“FIG. 3 uses a standard object-oriented notational format to illustrate an embodiment of object classes in a single database 100 of the present invention. ... There are seven principal object classes: communications objects 110, recipients 120, rules 130, methods 131, pages 132, elements 133, and type definitions 134. ... ‘Elements’ are the primary attributes of a communications object. An element 143 might be a phone number, a postal address, an e-mail address, a text field, and so on.” (Reed, portions col. 17, line 5–col. 18, line 29; underlining added for emphasis)

Further, Reed describes various objects in FIGs, 3, 4, 6A, 6B, 17, and 18, none of which describe or suggest the features claimed.

As such, Reed, even in view of Gajda, does not disclose or suggest the “management element” and/or the “on event” features claimed as described in the present specification and shown in FIG. 5. Nor does Reed disclose or suggest other features of claim 16 not addressed herein.

Accordingly, the Applicants submit that claim 16 is not unpatentable over Reed in view of Gajda. Claims 17–18 are dependent on claim 16. As such, claims 17–18 are believed allowable based, at least in part, upon claim 16.

SUBSTANCE OF INTERVIEW

Subsequent to the telephone interview of June 29, 2006 with the Applicant's representative L. Alan Collins, Reg No. 57,646, and in compliance with the requirements of MPEP §713.04 and 37 CFR §1.133(b), the Applicant hereby submits a Substance of Interview.

During the course of the interview, claim 16 and FIG. 5 were discussed in view of Bonnell et al. (US Patent Number 5,655,081) and Reed et al. (US Patent Number 5,862,325). Applicant discussed the specific base class of type "management element" as claimed and shown in FIG. 5 and sought clarification as to where this feature may be found in the prior art. It was indicated that the "management element" feature may not have been given as much weight as expected and that the prior art is perhaps more general in nature. Applicant and the Examiner discussed an after-final response in which Applicant might point out the description of the "management element" feature as found in the specification and drawings. Such an after-final response is provided herein.

Agreement with respect to the claims and the prior art discussed during the interview was not reached.

The Applicant wishes to, again, thank the Examiner for the courtesy and cooperation extended towards the Applicant's representative(s) during the prosecution of the present application.

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CONCLUSION

Accordingly, in view of the above amendment and remarks it is submitted that the claims are patentably distinct over the prior art and that all the rejections to the claims have been overcome. Reconsideration and reexamination of the above Application is requested. Based on the foregoing, Applicant respectfully requests that the pending claims be allowed, and that a timely Notice of Allowance be issued in this case. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's representative at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee that is not covered by an enclosed check please charge any deficiency to Deposit Account No. 50-0463.

Respectfully submitted,
Microsoft Corporation

Date: July 11, 2006

Microsoft Corporation
One Microsoft Way
Redmond WA 98052

By: 

L. Alan Collins, Reg. No.: 57,646
Direct telephone (425) 703-8265

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I hereby certify that this correspondence is being electronically deposited with the USPTO via EFS-Web on the date shown below:

July 11, 2006
Date


Noemi Tovar

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